

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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CALICO COTTAGE, INC.,

Plaintiff,

PROTECTIVE ORDER

- against -

CV 2011-0336 (DLI)(MDG)

TNB, INC.,

Defendant.

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This Court having reviewed the proposed protective order jointly filed by the parties (ct. doc. 25-1) and the Court having found good cause for issuance of a protective order given the nature of the materials to be produced in discovery, the proposed Protective Order is approved and incorporated herein, but subject to the following:

1. This Protective Order protects only limited information or items that are entitled to treatment as confidential information under applicable legal principles. Nothing in this Order shall be construed as conferring blanket protection on all disclosures or responses to discovery or as constituting a determination of the relevance or admissibility of any discovery materials. No party may designate material as "Confidential" or "Highly Confidential-Attorneys' Eyes Only" unless the party in good faith believes that the material is entitled to confidential treatment under applicable law or would disclose any party's private financial information, private competitive information, trade secrets, confidential scientific information, personal

information, business strategies, research, development information or strategies, information relating to ownership or control of any non-public company, information required by law to be maintained in confidence by any person, information protected from disclosure by government regulations, and all copies, abstracts, charts, summaries, and notes made from material properly designated as Confidential.

2. The parties must use best efforts to minimize the number and portions of documents filed under seal. Prior to seeking leave to file a document containing confidential information under seal, a party must determine whether the material that gives rise to a "Confidential" designation is relevant and necessary to the filing and whether redaction of the confidential information may eliminate the need for sealing the document. If the information that is confidential is not relevant to the filing and there is no reason to seal the remainder of the document, the document should be filed unsealed, with the confidential information redacted.

3. If a filing is lengthy but the confidential materials comprise a small portion of the submission, only the exhibit or portion of the exhibit containing confidential information may be filed under seal and the remainder of the submission should be filed unsealed.

4. The parties must comply with procedures of the Clerk's Office and this Court's Chambers Rules as to documents to be filed under seal.

5. Any submission filed in hard copy must be accompanied by a cover sheet in accordance with the form "Notice Regarding the filing of Exhibits in Paper Form" in the cm/ECF User's Guide. The Notice must also be filed electronically. Any sealing envelope should clearly describe the document to be sealed and identify the document number on the docket sheet which corresponds to such sealed document. Each envelope submitted for sealing may contain only one document or portions of one filing (such as multiple exhibits annexed to a document filed).

6. A party submitting a document for filing under seal shall provide the Clerk of the Court and the District Judge and/or Magistrate Judge to be handling the application or motion at issue with a complete and un-redacted copy of the submission.

SO ORDERED.

Dated: Brooklyn, New York
June 8, 2011

/s/_____
MARILYN D. GO
UNITED STATES MAGISTRATE JUDGE